

REMARKS

Claims 1-33, 35-39, and 41-44 are pending in the present application. By this response claims 34 and 40 are canceled. Reconsideration of the claims in view of the above amendments and the following remarks is respectfully requested.

I. Examiner Interview

Applicants thank Examiner Yang for the courtesies extended to Applicant's representative during the August 25, 2005 telephone interview. During the interview, the 35 U.S.C. § 112, second paragraph, rejection on page 13 and 14 of the present Office Action was clarified. The rejection states "the limitation "application process" in line 3". Examiner Yang indicated that he was actually referring to the third line not including the preamble of the claim which is actually the fifth line of the claim. Applicants thank Examiner Yang for the clarification. Additionally, Applicants also discussed Examiner Yang's statement on page 14 of the present Office Action that "the specification does not clearly define what is an application process; examiner loosely interprets it as resource utilization." The Examiner indicated he would consider Applicant's arguments. The substance of the interview is summarized in the remarks of sections that follow.

II. 35 U.S.C. § 112, Second Paragraph

The Office Action rejects claims 1, 17, 18, and 35 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention. Particularly, the Office Action states that claims 1, 17, 18, and 35 recite the limitation "application process" in line 3 and that there is insufficient antecedent basis for this limitation of the claim.

Claim 1, which is representative of the other rejected independent claims 17, 18, and 35 with regard to similarly recited subject matter, reads as follows:

1. A method for displaying resource utilization information for a plurality of resources in a data processing system, comprising the steps of:

classifying each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications, wherein each application process classification is defined by a classification rule using at least one of attributes identifying a user that submitted one or more of the application processes, a group that submitted one or more of the application processes and a fully qualified path of one or more of the application processes; and

for each application process classification, performing the following steps:

determining a time period in which to measure the resource utilization information;

monitoring the resource utilization information based on the time period; and

displaying a result of the monitoring of the resource utilization information, wherein the result of the monitoring of the resource utilization information is dynamically displayed so as to provide an indication of utilization of a resource within the plurality of resources relative to a reference resource entitlement level. (emphasis added)

Applicants respectfully submit that the fifth line of the claim recites "application process classification" which has antecedent basis previously in the claim which recites "a plurality of application process classifications." Thus, Applicants respectfully request the rejection of claims 1, 17, 18, and 35 under 35 U.S.C. § 112, second paragraph be withdrawn.

The Office Action rejects claims 2-16, 19-34, and 36-44 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention. This rejection is respectfully traversed. Particularly, the Office Action states that claims 2-16, 19-34, and 36-44 are rejected because they are based on rejected claims. Applicants respectfully submit that claims 1, 17, 18, and 35 are in proper form, and, thus, Applicants respectfully request the rejection of claims 2-16, 19-33, 36-39, and 41-44 under 35 U.S.C. § 112, second paragraph be withdrawn.

The Office Action rejects claims 34 and 40 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention. Particularly, the Office Action states that claims 34 and 40 recites the broad recitation "wherein the reference resource entitlement is optional," and independent claims upon which claims 34 and 40 depend

recites "to provide an indication of utilization of a resource within the plurality of resources relative to a reference resource entitlement level," which is the narrower statement of the range/limitation. In response, claims 34 and 40 have been canceled.

III. 35 U.S.C. § 103, Alleged Obviousness, Claims 1-6, 14-23, 31-35, 38-40, 42, and 43

The Office Action rejects claims 1-6, 14-23, 31-35, 38-40, 42, and 43 under 35 U.S.C. § 103(e) as being allegedly unpatentable over Bhatt et al. (U.S. Patent No. 6,097,399) and further in view of Fisher et al. (U.S. Patent No. 5,440,478). Because this rejection is essentially the same as in the previous Office Action, this rejection is respectfully traversed for the reasons stated in the previous Response filed December 20, 2004, the remarks of which are hereby incorporated by reference. The following remarks are provided in rebuttal of the Examiner's statements in the present Office Action beginning on page 14, section 28, of the Office Action.

The Office Action states:

As per claims 1, 17, 18, and 35, applicant alleges Bhatt does not disclose "classifying each of a plurality of application process". In reply, examiner notes the specification does not clearly define what is an application process; examiner loosely interprets it as resource utilization.

As stated in MPEP 2106 (II)(C):

Office personnel must rely on the applicant's disclosure to properly determine the meaning of ** the claims. *Markman v. Westview Instruments*, 52 F.3d 967, 980, 34 USPQ2d 1321, 1330 (Fed. Cir.) (*en banc*), *aff'd*, U.S. , 116 S. Ct. 1384 (1996). **>Claim terms are presumed to have the ordinary and customary meanings attributed to them by those of ordinary skill in the art. *Sunrace Roots Enter. Co. v. SRAM Corp.*, 336 F.3d 1298, 1302, 67 USPQ2d 1438, 1441 (Fed. Cir. 2003); *Brookhill-Wilk I, LLC v. Intuitive Surgical, Inc.*, 334 F.3d 1294, 1298, 67 USPQ2d 1132, 1136 (Fed. Cir. 2003) ("In the absence of an express intent to impart a novel meaning to the claim terms, the words are presumed to take on the ordinary and customary meanings attributed to them by those of ordinary skill in the art.") However, an applicant is entitled to be his or her own lexicographer and may rebut the presumption that claim terms are to be given their ordinary and customary meaning by clearly setting forth a definition of the term that is different from its ordinary and customary meaning. See *In re Paulsen*, 30 F.3d 1475, 1480, 31 USPQ2d 1671, 1674

(Fed. Cir. 1994).< Where an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim. *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic vacuum, but in the context of the specification and drawings."). ** Any special meaning assigned to a term "must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention." *Multiform Desiccants Inc. v. Medzam Ltd.*, 133 F.3d 1473, 1477, 45 USPQ2d 1429, 1432 (Fed. Cir. 1998). (emphasis added)

The present invention in claims 1, 17, 18, and 35 recites "a plurality of application processes." The ordinary and customary meaning of the term "process" is an executing program (see Exhibit A). Thus, an application process would be defined as an executing application program. The ordinary and customary meaning of the term "resource" is generally any item that can be used. Devices such as printers and disk drives are resources, as is memory (see Exhibit B). Thus, resource utilization would be defined as the usage of a device such as a printer, disk drive, or memory. Applicants respectfully submit that one of ordinary skill in the art would not interpret an executing application program to be a usage of a resource. Thus, Applicants respectfully submit that the Examiner interpretation of the presently claimed plurality of application process is incorrect.

As to claims 1, 17, 18, and 35, the Office Action states:

As per claim 1, Bhatt et al., hereinafter Bhatt, discloses a method for displaying resource utilization information for a plurality of resources in a data processing system, comprising the steps of:

classifying each of a plurality of application processes operating on the data processing system into one of a plurality of process classifications (Figure 5A P1, P2 and P3; "The aggregated data sent to the display via the control signals will be arranged on a display 6 in one or more display elements 8", column 6, line 23-25, where the display elements are process classifications); and

for each process classification, performing the following steps:

determining a time period in which to measure the resource utilization information (the aggregation interval, A_L, column 7, line 35);

monitoring the resource utilization information based on the time period ("The aggregation may combine data by techniques such as averaging, min/max, critical threshold", column 2, line 40-41); and

displaying a result of the monitoring of the resource utilization information, wherein the result of the monitoring of the resource utilization information is dynamically displayed so as to provide an indication of utilization of a resource within the plurality of resources relative to a reference resource entitlement level (Figure 5B where P1, P2 and P3 are graphs indicating amount of utilization of processors, since the data is periodically updated, the utilization is dynamically updated; and Figure 10A where the degree of shading indicates level of utilization and, therefore, is level of utilization).

Bhatt discloses a method for displaying resource utilization information for a plurality of resources. It is noted that Bhatt is silent about the process is an application process "wherein the application process classifications is defined by a classification rule using at least one of attributes identifying a user that submitted one or more of the application processes, a group that submitted one or more of the application processes and a fully qualified path of one or more of the application processes", however, this is known in the art as taught by Fisher et al., hereinafter Fisher. Fisher discloses a process control method in which application processes are classified into one of a plurality of process classifications (Figure 2 or 3 where the company name and identification of the report are the user and the company is the user that submitted the application process; "We also prefer to sort the collected data across some or all of the characteristic fields which appear in boxes 45 and 48 thru 54. The sorted data could then be presented in tables, graphs or other types of reports", column 7, line 18-21 wherein the characteristic fields are the classification rules).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Fisher into Bhatt because Bhatt discloses a method for displaying resource utilization information for a plurality of resources and Fisher discloses that the user can be identified and the associated data classified in order to provide for more meaningful process analysis.

Office Action dated June 8, 2005, pages 2-4.

Claim 1, which is representative of the other rejected independent claims 17, 18, and 35 with regard to similarly recited subject matter, reads as follows:

1. A method for displaying resource utilization information for a plurality of resources in a data processing system, comprising the steps of:
classifying each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications, wherein each application process classification is defined by a classification rule using at least one of attributes identifying a user that submitted one or more of the application processes, a group that submitted one or more of the application processes and a fully qualified path of one or more of the application processes; and

for each application process classification, performing the following steps:

- determining a time period in which to measure the resource utilization information;
- monitoring the resource utilization information based on the time period; and
- displaying a result of the monitoring of the resource utilization information, wherein the result of the monitoring of the resource utilization information is dynamically displayed so as to provide an indication of utilization of a resource within the plurality of resources relative to a reference resource entitlement level.

Bhatt and Fisher, taken alone or in combination, fail to teach or suggest classifying each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications, wherein each application process classification is defined by a classification rule using at least one of attributes identifying a user that submitted one or more of the application processes, a group that submitted one or more of the application processes and a fully qualified path of one or more of the application processes.

Bhatt is directed to a method for visualizing time-varying data from one or more data streams at a different interval than the interval between acquisition of the individual data item in the data stream (see abstract). Data received is combined, or aggregated, between updates of a display to retain some information from each element. The aggregated data is then displayed at the next update of the display in a number of display elements. The characteristics of the display elements, and the organization of the elements represent changes in the data streams.

The Office Action alleges that Bhatt teaches classifying processes into one of a plurality of process classifications. However, Applicants are claiming classifying each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications, which Bhatt does not teach or suggest.

Discussed at length in the responses filed February 4, 2004, June 7, 2004, and December 20, 2004, are the elements of Bhatt to which the Office Actions refer as teaching classifying processes into one of a plurality of process classifications. Those

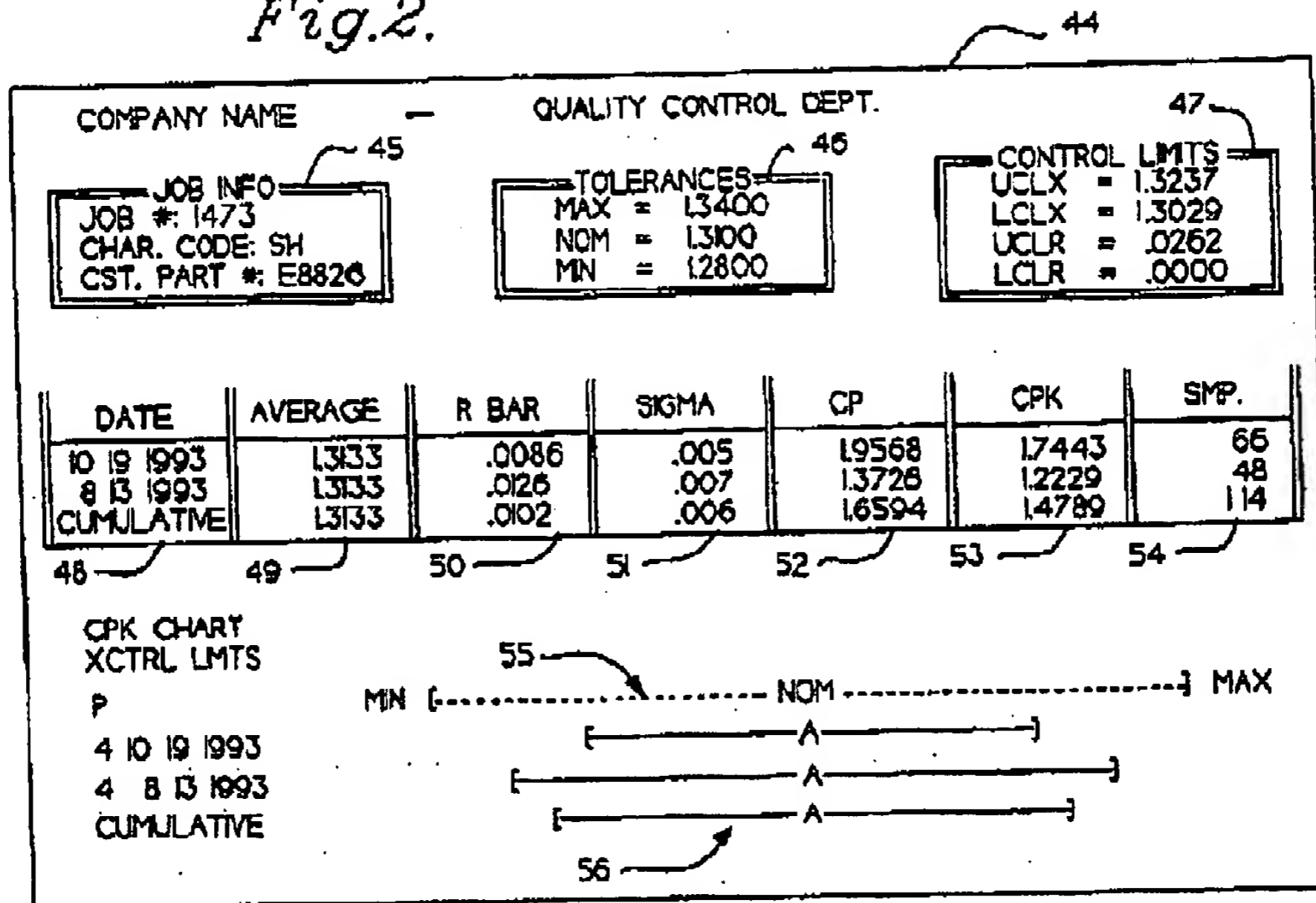
elements are elements P1, P2, and P3 of Figure 5A and are described by Bhatt at column 10, lines 20-30, which reads as follows:

FIG. 5a shows one possible display for implementing the applicant's system. On the graphs, three display elements P1, P2, and P3 are shown with their respective labels below each bar. Each display element represents the percentage of time spent in various activities for a different processor in system 1 which is being monitored. Thus for example, the darker portion of each bar may represent time spent in application execution, and the lighter portions of each bar, time spent on communication overhead. The remaining part of each bar could then represent time the processor spends idle.

In this section, Bhatt describes that elements P1, P2, and P3 represent the percentage of time spent in various activities for a different processor in system 1 which is being monitored. Thus, element P1 is Processor 1, element P2 is Processor 2 and element P3 is Processor 3. Bhatt further describes that each element represents time spent in application execution, communication overhead and idle time. Bhatt does not teach or suggest classifying each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications, as in the Bhatt reference there is only one representation of application execution.

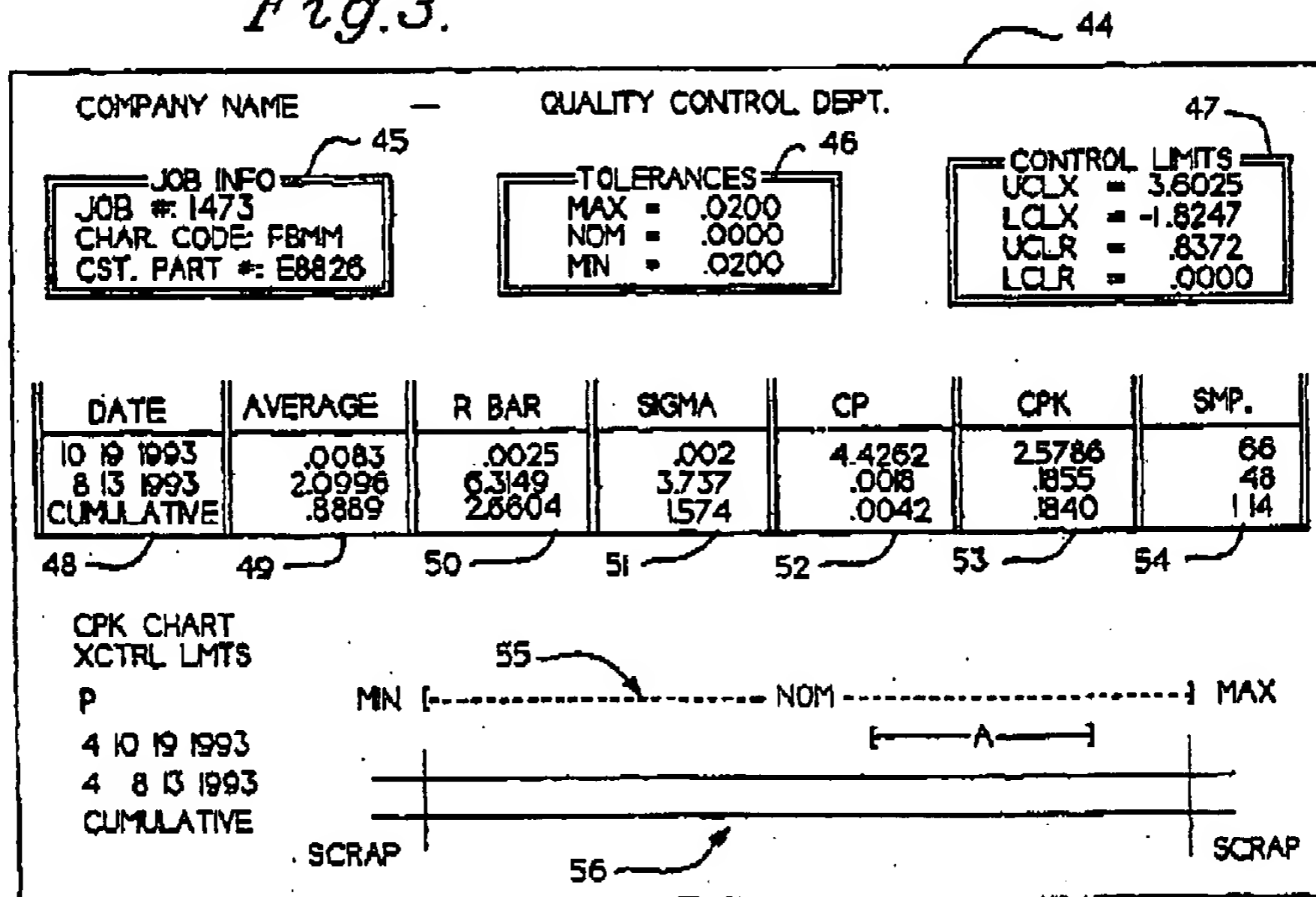
Thus, the present Office Action acknowledges that Bhatt does not explicitly disclose the process is an application process. However, the present Office Action alleges that Fisher teaches a process control method in which application processes are classified into one of a plurality of process classifications at Figures 2 and 3, elements 45 and 48-54 and column 7, line 18-21 which are shown as follows:

Fig.2.



(Figure 2)

Fig.3.



(Figure 3)

We also prefer to sort the collected data across some or all of the characteristic fields which appear in boxes 45 and 48 thru 54. The sorted data could then be presented in tables, graphs or other types of reports.

(Column 7, lines 18-21)

Fisher is directed to a system for controlling manufacturing process statistical process control data or other statistical indicators of performance from the production process and specification data which are displayed in both tables and bar-type graphs (see abstract). The graphic display enables the production manager to easily see both out of specification activity and trends so that he can adjust the manufacturing process accordingly before the production run is completed.

Elements 45 and 48-54 are described by Fisher at column 5, line 31 to column 6, line 2, which reads as follows:

Turning to FIGS. 2 and 3, our report preferably provides the company name and identification of the report as being generated by the quality control department at the top of the page. There is a box 45 containing job information. It preferably includes the job number. The report could also identify the production crew or equipment used to produce the product. We have been able to monitor die wear by tracking the dies, by die number, used in the press or other equipment used form the particular part. The second line identifies the particular characteristic of the part which is being displayed in this report and also contains an identification of a particular part by customer part number. All of these lines could contain both alpha and numeric information. The job information could be expanded to include customer name, customer codes or other pertinent information. Box 46 reports the nominal value and maximum and minimum acceptable values for the particular characteristic under the heading "Tolerances". Box 47 reports the upper and lower control limits. On the next portion of the graph there is a box for the dates of the particular production runs or sample sets and cumulative totals for the subsequent data provided in adjacent boxes. Although there are only two dates listed in box 48, we are able to display any number of dates and a cumulative line in these boxes. We prefer to display up to 12 dates and a cumulative line 56. Twelve lines of data can be shown both in tables and graphically in the lower portion of the chart and fit on one graph and table and be printed on one 8 1/2.times.10 page. Six lines of data and a cumulative line can be printed in tubular or graphic form on a single sheet. Box 49 reports the average of the values for the particular days and a cumulative value. The next box 50 reports the R bar values obtained from the statistical program followed by sigma in box 51, CP in box 52 and CPK in box 53. We prefer that the right most box 54 list the number of

samples which were used to generate the data for that particular line. The tables may also include other characteristic fields.

This section of Fisher clearly describes that element 45 represents a job information that preferably includes a job number. The job referred to is the production or manufacturing of a product by a company. Element 45 presents all the statistical data related to the production of the product or products for the particular job shown. Elements 48-54 represent the date and statistical information pertaining to the production of the product for the particular job shown in element 45. There is nothing in this section, or any other section of Fisher, that teaches or suggests application processes or classifying each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications. Fisher merely teaches providing statistical information related to the production of product or products as related to a particular job of the company. Therefore, Bhatt and Fisher, taken alone or in combination fail to teach or suggest classifying application processes into one of a plurality of application process classifications.

Additionally, Bhatt and Fisher, taken alone or in combination, fail to teach or suggest where each application process classification is defined by a classification rule using at least one of attributes identifying a user that submitted one or more of the application processes, a group that submitted one or more of the application processes and a fully qualified path of one or more of the application processes. Bhatt merely groups all of the application execution into one portion of the display element, thus, there would be no need to classify the application processes based on attributes identifying a user that submitted one or more of the application processes, a group that submitted one or more of the application processes and a fully qualified path of one or more of the application processes. Fisher does not classify application processes but, rather, provides statistical information relating to the product or products manufactured by a company as related to a particular job. The job run by the company is not an application process and elements 45 and 48-54 do not represent at least one of attributes identifying the user that submitted the process, the group from which the process was submitted and the fully qualified path of the application which the process is executing.

Furthermore, with the present Office Action acknowledges that Bhatt does not explicitly disclose the process is an application process, and, as discussed above, Fisher does not teach or suggest application process or application process classifications. Applicants respectfully submit that Bhatt and Fisher, taken alone or in combination, fail to teach or suggest for each application process classification, performing the following steps: determining a time period in which to measure the resource utilization information; monitoring the resource utilization information based on the time period; and displaying a result of the monitoring of the resource utilization information, wherein the result of the monitoring of the resource utilization information is dynamically displayed so as to provide an indication of utilization of a resource within the plurality of resources relative to a reference resource entitlement level.

Furthermore, there is not so much as a suggestion in either reference to modify the references to include such features. That is, there is no teaching or suggestion in Bhatt or Fisher that a problem exists for which classifying each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications, wherein each application process classification is defined by a classification rule using at least one of attributes identifying a user that submitted one or more of the application processes, a group that submitted one or more of the application processes and a fully qualified path of one or more of the application processes, is a solution. To the contrary, Bhatt does not teach or suggest an application processes and Fisher teaches providing statistical information relating to the product or products manufactured by a company as related to a particular job. Neither reference even recognizes a need to classify application processes into one of a plurality of application process classifications, as recited in claim 1.

Moreover, neither reference teaches or suggests the desirability of incorporating the subject matter of the other reference. That is, there is no motivation offered in either reference for the alleged combination. The Office Action alleges that the motivation for the combination is because "Bhatt discloses a method for displaying resource utilization information for a plurality of resources and Fisher discloses that the user can be identified and the associated data classified in order to provide for more meaningful process analysis." As discussed above, Bhatt merely displays the percentage of time spent in

various activities for a different processor in system 1 which is being monitored and that element represents time spent in application execution, communication overhead and idle time and as admitted by the present Office Action this does not represent application processes. Fisher merely describes providing statistical information relating to the product or products manufactured by a company as related to a particular job. Neither reference classifies each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications. Thus, the only teaching or suggestion to even attempt the alleged combination is based on a prior knowledge of Applicants' claimed invention thereby constituting impermissible hindsight reconstruction using Applicants' own disclosure as a guide.

One of ordinary skill in the art, being presented only with Bhatt and Fisher, and without having a prior knowledge of Applicants' claimed invention, would not have found it obvious to combine and modify Bhatt and Fisher to arrive at Applicants' claimed invention. To the contrary, even if one were somehow motivated to combine Bhatt and Fisher, and it were somehow possible to combine the two systems, the result would not be the invention, as recited in claim 1. The result would be simply displaying the percentage of time spent in various activities for a different processor in a system which is being monitored and that element represents time spent in application execution, communication overhead and idle time and provide statistical information relating to the product or products manufactured by a company as related to a particular job. The resulting system still would not classify each of a plurality of application processes operating on the data processing system into one of a plurality of application process classifications, wherein each application process classification is defined by a classification rule using at least one of attributes identifying a user that submitted one or more of the application processes, a group that submitted one or more of the application processes and a fully qualified path of one or more of the application processes.

Thus, Bhatt and Fisher, taken alone or in combination, fail to teach or suggest all of the features in independent claims 1, 17, 18, and 35. At least by virtue of their dependency on claims 1 and 18, the specific features of claims 2-6, 14-16, 19-23, 31-33, 38, 39, 42, and 43 are not taught or suggested by Bhatt and Fisher, either alone or in

combination. Accordingly, Applicants respectively requests withdrawal of the rejection of claims 1-6, 14-23, 31-33, 35, 38, 39, 42, and 43 under 35 U.S.C. § 103(e).

Moreover, in addition to their dependency from independent claims 1 and 18, the specific features recited in dependent claims 2-6, 14-16, 19-23, 31-33, 38, 39, 42, and 43 are not taught by Bhatt and Fisher, taken alone or in combination. For example, with regard to claims 38 and 42, Bhatt and Fisher, taken alone or in combination, do not teach or suggest where each application process classification is defined by a classification rule. The Office Action alleges that Fisher teaches this feature in Figures 2 and 3 and in column 7, lines 18-21, shown above. As discussed above, these figures and section of Fisher clearly describe that element 45 represents a job information that preferably includes a job number. The job referred to is the production or manufacturing of a product by a company. Element 45 presents all the statistical data related to the production of the product or products for the particular job shown. Elements 48-54 represent the date and statistical information pertaining to the production of the product for the particular job shown in element 45. There is nothing in these figures or section, or any other section of Fisher that teaches or suggests a classification rule that identifies which attributes and values of those attributes that are to be included in a particular class. Fisher merely teaches providing statistical information related to the production of product or products as related to a particular job of the company. Thus, Bhatt and Fisher, taken alone or in combination, do not teach or suggest a classification rule that identifies which attributes and values of those attributes that are to be included in a particular class.

As an additional example, with regard to claim 39 and 43, Bhatt and Fisher, taken alone or in combination, do not teach or suggest wherein the resource utilization information is information pertaining to allocation of resources consumed within the data processing system. The Office Action alleges that this feature is taught in Figures 5A and 5B and in column 10, lines 23-25, of Bhatt, shown above. As discussed above, Bhatt and Fisher, taken alone or in combination, do not teach or suggest determining a time period in which to measure the resource utilization information; monitoring the resource utilization information based on the time period; and displaying a result of the monitoring of the resource utilization information, wherein the result of the monitoring of the resource utilization information is dynamically displayed so as to provide an indication of

utilization of a resource within the plurality of resources relative to a reference resource entitlement level. Thus, Bhatt and Fisher, taken alone or in combination, do not teach or suggest the resource utilization information is information pertaining to allocation of resources consumed within the data processing system.

Therefore, in addition to being dependent on independent claims 1 and 18, dependent claims 2-6, 14-16, 19-23, 31-33, 38, 39, 42, and 43 are also distinguishable over Bhatt and Fisher, whether alone or in combination, by virtue of the specific features recited in these claims. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 2-6, 14-16, 19-23, 31-33, 38, 39, 42, and 43 under 35 U.S.C. § 103(e).

IV. 35 U.S.C. § 103, Alleged Obviousness, Claims 7-9 and 24-26

The Office Action rejects claims 7-9 and 24-26 under 35 U.S.C. § 103(a) as being unpatentable over Bhatt et al. (U.S. Patent No. 6,097,399) and Fisher et al. (U.S. Patent No. 5,440,478) as applied to claim 1 above, and further in view of Rassman et al. (U.S. Patent No. 4,937,743). This rejection is respectfully traversed.

Claims 7-9 and 24-26 are dependent on claims 1 and 18, respectively, and thus, are distinguished over the combination of Bhatt and Fisher for at least the reasons noted above with regard to claims 1 and 18. Moreover, Rassman does not provide for the deficiencies of Bhatt and Fisher and, thus, any alleged combination of Bhatt, Fisher, and Rassman would not be sufficient to reject independent claims 1 and 18 or claims 7-9 and 24-26 by virtue of their dependency. That is, Bhatt, Fisher, and Rassman, taken alone or in combination, fail to teach or suggest classifying processes into one of a plurality of process classifications, as recited in claims 1 and 18, from which claims 7-9 and 24-26 depend. Furthermore, there is no suggestion in Bhatt, Fisher, or Rassman as to the desirability to include classifying processes into one of a plurality of process classifications.

In view of the above, Applicants respectfully submit that Bhatt, Fisher, and Rassman, taken alone or in combination, fail to teach or suggest the features of claims 7-9 and 24-26. Therefore, claims 7-9 and 24-26 are not rendered obvious by the proposed

combination of Bhatt, Fisher, and Rassman. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 7-9 and 24-26 under 35 U.S.C. § 103(a).

V. 35 U.S.C. § 103, Alleged Obviousness, Claims 10, 11, 27, and 28

The Office Action rejects claims 10, 11, 27, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Bhatt et al. (U.S. Patent No. 6,097,399), Fisher et al. (U.S. Patent No. 5,440,478) and Rassman et al. (U.S. Patent No. 4,937,743) as applied to claim 7 above, and further in view of Rochford et al. (U.S. Patent No. 6,487,604 B1). This rejection is respectfully traversed.

Claims 10, 11, 27, and 28 are dependent on claims 1 and 18, respectively, and thus, is distinguished over the combination of Bhatt, Fisher, and Rassman for at least the reasons noted above with regard to claims 1 and 18. Moreover, Rochford does not provide for the deficiencies of Bhatt, Fisher, and Rassman and thus, any alleged combination of Bhatt, Fisher, Rassman, and Rochford would not be sufficient to reject independent claims 1 and 18 or claims 10, 11, 27, and 28 by virtue of their dependency. That is, Bhatt, Fisher, Rassman, and Rochford, taken alone or in combination, fail to teach or suggest classifying processes into one of a plurality of process classifications, as recited in claims 1 and 18, from which claims 10, 11, 27, and 28 depend. Furthermore, there is no suggestion in Bhatt, Fisher, Rassman, or Rochford as to the desirability to include classifying processes into one of a plurality of process classifications.

In view of the above, Applicants respectfully submit that Bhatt, Fisher, Rassman, and Rochford, taken alone or in combination, fail to teach or suggest the features of claims 10, 11, 27, and 28. Therefore, claims 10, 11, 27, and 28 are not rendered obvious by the proposed combination of Bhatt, Fisher, Rassman, and Rochford. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 10, 11, 27, and 28 under 35 U.S.C. § 103(a).

VI. 35 U.S.C. § 103, Alleged Obviousness, Claims 12, 13, 29, 30, and 36

The Office Action rejects claims 12, 13, 29, 30, and 36 under 35 U.S.C. § 103(a) as being unpatentable over Bhatt et al. (U.S. Patent No. 6,097,399) and Fisher et al. (U.S.

Patent No. 5,440,478) as applied to claim 1 above, and further in view of Haggard et al. (U.S. Patent No. 6,148,335). This rejection is respectfully traversed.

Claims 12, 13, 29, 30, and 36 are dependent on claims 1, 18, and 35, respectively, and thus, are distinguished over the combination of Bhatt and Fisher for at least the reasons noted above with regard to claims 1, 18, and 35. Moreover, Haggard does not provide for the deficiencies of Bhatt and Fisher and thus, any alleged combination of Bhatt, Fisher, and Haggard would not be sufficient to reject independent claims 1, 18, and 35 or claims 12, 13, 29, 30, and 36 by virtue of their dependency. That is, Bhatt, Fisher, and Haggard, taken alone or in combination, fail to teach or suggest classifying processes into one of a plurality of process classifications, as recited in claims 1, 18, and 35, from which claims 12, 13, 29, 30, and 36 depend. Furthermore, there is no suggestion in Bhatt, Fisher, or Haggard as to the desirability to include classifying processes into one of a plurality of process classifications.

In view of the above, Applicants respectfully submit that Bhatt, Fisher, and Haggard, taken alone or in combination, fail to teach or suggest the features of claims 12, 13, 29, 30, and 36. Therefore, claims 12, 13, 29, 30, and 36 are not rendered obvious by the proposed combination of Bhatt, Fisher, and Haggard. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 12, 13, 29, 30, and 36 under 35 U.S.C. § 103(a).

VII. Claims 37, 41, and 44

The rejection of claims 37, 41, and 44 under 35 U.S.C. § 112, second paragraph has been addressed above. Although, claims 37, 41, and 44 are rejected under 35 U.S.C. § 112, second paragraph, Applicants respectfully submit that claims 37, 41, and 44 are not found to be rejected under any reference or combination of references. Thus, Applicants assume these claims are allowable if the rejection of claims 37, 41, and 44 under 35 U.S.C. § 112, second paragraph is withdrawn.

VIII. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

DATE: September 7, 2005

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Attachments:

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